APPENDIX VIII

(Section 67, G 2)

(These forms were sanctioned by G. R. No. 1188, dated 13th February 1904.)

FORM A.

(To be used where applicant applies for permission to appropriate to building purposes land hitherto used for agricultural purposes.)

(*Royal Arms*)

N. B.—Under the provisions of Section 67 of the Bombay Land Revenue Code, 1879, the applicant should be the registered occupant before an Agreement under that section is entered into with him. If necessary, the land appropriated under the Agreement should be demarcated as a separate number under section 116 of the Land Revenue Code, and the applicant entered as the registered occupant thereof.

* Care must be taken that this is duly annexed.

THIS AGREEMENT made this day of one thousand nine hundred and between the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State") on the one part and inhabitant of (hereinafter referred to as "the applicant") on the other part.

WHEREAS the applicant being the registered occupant of of Taluka district has applied to the Collector of (hereinafter referred to as "the Collector") under Section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code"), for permission to appropriate to building purposes the plot of land indicated by the letters on the site-plan hereto annexed,* forming part of the said and measuring square yards, be the same a little more or less.

AND WHEREAS the Collector has been authorized by Government to grant, under Section 67 of the said Code, the permission applied for subject to the provisions of the said Code, and rules and orders thereunder, and to the terms and conditions hereinafter contained,

NOW IT IS HEREBY AGREED between the Secretary of State and the applicant that permission to appropriate to non-agricultural purposes the plot of land indicated by the letters on the said site-plan (which plot of land is hereinafter referred to as "the said plot of land") in the particular manner shown in the said site-plan, namely,—

(A) an area of square yards indicated by a colour and the letters for the purpose of* or for the purpose of an open compound only :

(B) an area of square yards indicated by a colour and the letters for the purpose of† or for the purpose of an open compound only :

(C) an area of square yards indicated by the uncoloured portion of the said plot for the purpose of an open compound only :

shall be and is hereby granted subject to the provisions of the said Code, and rules and orders thereunder, and on the following special terms and conditions, namely :—

(1) The applicant in lieu of the present assessment leviable in respect of the said plot of land shall pay to Government without deduction on the day of in each and every year an annual assessment of Rupees (Rs.) during the fifty (50) years commencing on the day of 19 , and ending on the day of 19 , or in composition therefor a lump sum of Rupees (Rs.) being twenty-five (25) times the said annual assessment and thereafter such revised assessment as may from time to time be fixed by the Collector under the said Code and the rules and orders thereunder ;

(2) The applicant hereby gives up, resigns and relinquishes to Government without claiming any compensation therefor all interest in, and the Collector on behalf of Government is hereby permitted without further notice to the applicant to enter upon and take possession of the following pieces of land, that is to say :—

(a) for the purpose of widening and forming part of the road on the side of the aforesaid plot a strip of land containing by admeasurement square

* Here insert the particular purpose for which the building is to be erected, such as "a residential bungalow and attached outhouses other than a stable or privy."

† Here insert the particular 'purpose' for which the building is to be erected, such as "a shop" or "a privy."

N. B.—Omit this clause in cases where no such surrender is made.

yards, be the same a little more or less, indicated by a colour and the letters on the site-plan hereto annexed; and

(*b*) for the purpose of being used as a sweeper's passage (and not as a public thoroughfare) a strip of land situate along and within the boundary of the aforesaid plot and indicated by a colour and the letters on the said site-plan and containing by admeasurement square yards, be the same a little more or less:

(3) The applicant is hereby prohibited under the last paragraph of Section 48 of the said Code from appropriating, without the previous permission in writing of the Collector, any part of the said plot of land to any purpose other than that for which permission to appropriate it is hereinbefore granted to the applicant:

Provided that:—

(i) nothing in the above shall be deemed to prohibit the applicant:—

(*a*) from erecting or constructing, without such previous permission, in the portion (C) (*i. e.*,) appropriated for the purpose of an open compound only) boundary-walls not exceeding four feet in height, garden-fountains, uncovered steps and similar structures, not being projections from a building, such as verandahs, balconies, eaves or shop-boards;

(*b*) from constructing, without such previous permission, wells or tanks in any part of such portion (C) that does not lie within a margin consisting of a strip feet broad along and inside the perimeter of the said plot of land.*

(*c*)† from appropriating, without such previous permission, to any non-agricultural purpose, other that that of a shop, a stable or a privy, to an extent not exceeding in total admeasurement yards, any part of such portion (C) that does not lie within the aforesaid margin; and

* Here insert any special exception or reservation that may be necessary, such as save on the sides indicated by the lines C D, E F, on the said site plan, where the existing margin as shown therein is allowed to remain."

†Omit this sub-clause (*c*) if applicant has not agreed to pay full assessment in respect of the portion (C) so as to be entitled to this concession.

(ii) where any such prohibited appropriation is permitted by the Collector the applicant shall,‡ *except in the case of an appropriation of any part of the land measuring square yards and specified in sub-clause (c) of proviso (i) above*, be liable to pay from the date of the appropriation in respect of the land so appropriated such enhanced assessment not exceeding § Rupees Rs.) per hundred (100) square yards as the Collector may deem fit to impose and in any such case the total amount payable under clause (1) of this Agreement shall be modified accordingly ;

‡ Omit the words in italics if sub-clause (c) has been omitted.

§ Enter the amount calculated at five times the rate of assessment on the land permitted to be built over under the Agreement (see paragraph 4 of G. R. R. D. No. 6411 of the 16th September 1903.

(4) If at any future date the Collector gives the applicant notice in writing that any portion of the margin specified in subclause (*b*) of proviso (i) to clause (3) of this Agreement is required by Government for the purposes of a road, the applicant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such portion to the Collector on behalf of Government in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to thirty (30) times the assessment proportionately payable upon the portion so surrendered, namely, an assessment at the rate of Rupees* (Rs.) per hundred (100) square yards :

* Enter the amount calculated in accordance with paragraph 1 of G. R. R. D, No. 1188, of the 13th Feburary 1904.

† Provided that, where the materials of any gate, wall, pavement or other such authorized erection or construction on such portion cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to the applicant as the Collector may deem fit :

† This proviso was added by G. R. No. 5088, dated 4th July 1904.

(5) § The applicant shall within three (3) years from the date of this Agreement, that is before the day of 19 , erect and complete on the said plot of land ‡ of a substantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in the Schedule hereto annexed :

§ As to retention or omission of this clause, wide G.R. No. 7496 dated 6th August 1906, printed under section 67.

‡ Here insert description of the buildings, such as "a residential bungalow and outhouses."

(5a) The applicant shall not, without special permission, erect on the said plot of land any structure having more than upper $\frac{\text{floor*}}{\text{floors}}$ in addition to the ground floor

* here insert the maximum number of upper floors to be allowed.

N. B. Omit this clause in cases where it is not considered necessary to impose any restriction as to the height of the building.

(G. R. R. D. No 5124, dated 26th April 1918)

N. B.—Omit this clause in cases where there are no existing buildings to be removed.

(6) The applicant shall remove the existing indicated on the site-plan hereto annexed by a colour and the letters within a period of from the date of this Agreement :

(7) Nothing in this Agreement shall affect the applicant's liability to any payment which may be required under any law for the time being in force for the construction and maintenance of roads and drains:

(8) The Collector may without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, or rules or orders thereunder, direct the removal or alteration of any building or structure erected contrary to clause (3) or

* Omit the words in italics in cases where clause (6) is omitted.

(5) * *or not removed in accordance with clause* (6), of this Agreement within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period may cause the same to be carried out at the expense of the applicant ;

(9) AND IT IS HEREBY LASTLY AGREED between the parties hereto that in this Agreement the words " the Secretary of State " shall include the Secretary of States his successors and assigns, and the word, "the applicant" shall include the applicant, his heirs, executors, administrators and assigns, and the words " the Collector " shall mean the Collector of

for the time being or any other officer whom the Governor of Bombay in Council or the Commissioner,

Division, or the Collector, directs to exercise the powers or perform the duties of the Collector under this Agreement. And also that the applicant shall bear and discharge all the costs and expenses incurred in the preparation, execution, stamping and registration of these presents.

IN WITNESS WHEREOF the Collector of has by order of the Governor of Bombay in Council hereunto set his hand and the seal of his office, on behalf of the Secretary of State for India in Council, and the applicant has also hereunto set his hand the day and year first above written.

N. B.—Two copies should be executed, one to be kept by the Collector, and the other to be handed to the applicant.

Signed by (Applicant's signature.)

in the presence of

Signed by

Collector of

in the presence of

Seal

(Collector's signature.)

FORM B. (Appendix 8)

(To be used where applicant has already appropriated Land to building purpose without permission and applies for permission to continue so to appropriate it.)

(*Royal Arms.*)

N. B.–Under the provisions of Section 67 of the Bombay Land Revenue Code, 1879, the applicant should be the registered occupant before an Agreement under that section is entered into with him. If necessary the land appropriated under the Agreement should be demarcated as a separate number under Section 116 of the Land Revenue Code, and the applicant entered as the registered occupant thereof.

* Care must be taken that this is duly annexed.

THIS AGREEMENT made this day of one thousand nine hundred and between the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as " the Secretary of State ") on the one part and inhabitant of (hereinafter referred to as " the applicant ") on the other part.

WHEREAS the applicant being the registered occupant of of Taluka District has appropriated to building purposes without the permission of the Collector of (hereinafter referred to as " the Collector ") being first obtained as required by Section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as " the said Code "), the plot of land indicated by the letters on the site-plan hereto annexed,* forming part of the said and measuring square yards, be the same a little more or less, and has thereby become liable to the penalties prescribed by Section 66 of the said Code,

AND WHEREAS the applicant has applied for permission to remain in possession of and to continue to appropriate the above said plot of land to building purposes,

AND WHEREAS the Collector has been authorized by Government to grant, under Section 67 of the said Code, the permission applied for subject to the provisions of the said Code, and rules and orders thereunder, and to the terms and conditions hereinafter contained.

NOW IT IS HEREBY AGREED between the Secretary of State and the applicant that permission to appropriate to non-agricultural purposes the plot of land indicated by the letters on the said site-plan (which plot of land is hereinafter referred to as " the said plot of land ") in the particular manner shown in the said site-plan, namely,—

(A) an area of square yards indicated by a colour and the letters for the

purpose of* or for the purpose of an open compound only :

(B) an area of square yards indicated by a colour and the letters for the purpose of † or for the purpose of an open compound only :

(C) an area of square yards indicated by the uncoloured portion of the said plot for the purpose of an open compound only :

shall be and is hereby granted subject to the provisions of the said Code, and rules and orders thereunder, and on the following special terms and conditions, namely :

(1) The applicant in lieu of the present assessment leviable in respect of the said plot of land shall pay to Government without deduction on the day of in each and every year an annual assessment of Rupees (Rs.) during the fifty (50) years commencing on the day of 19 , and ending on the day of 19 , or in composition therefor a lump sum of Rupees (Rs.) being twenty-five (25) times the said annual assessment and thereafter such revised assessment as may from time to time be fixed by the Collector under the said Code and the rules and orders thereunder,

(2) The applicant hereby gives up, resigns and relinquishes to Government without claiming any compensation therefor all interest in, and the Collector on behalf of Government is hereby permitted without further notice to the applicant to enter upon and take possession of, the following pieces of land, that is to say :—

(a) for the purpose of widening and forming part of the road on the side of the aforesaid plot a strip of land containing by admeasurement square yards, be the same a little more or less, indicated by a colour and the letters on the site-plan hereto annexed ; and

* Here insert the particular purpose for which the building is to be erected, such as "a residential bungalow and attached outhouses other than a stable or privy."

† Here insert the particular purpose for which the building is to be erected, such as "a shop" or "a privy."

N. B.-Omit this clause in cases where no such surrender is made.

(*b*) for the purpose of being used as a sweeper's passage (and not as a public thoroughfare) a strip of land situate along and within the boundary of the aforesaid plot and indicated by a colour and the letters on the said site-plan and containing by admeasurement square yards, be the same a little more or less ;

(3) The applicant is hereby prohibited under the last paragraph of Section 48 of the said Code from appropriating, without the previous permission in writing of the Collector, any part of the said plot of land to any purpose other than that for which permission to appropriate it is hereinbefore granted to the applicant.

Provided that—

(*i*) nothing in the above shall be deemed to prohibit the applicant—

(a) from erecting or constructing, without such previous permission, in the portion (C) (*i. e.*, appropriated for the purpose of an open compound only) boundary-walls not exceeding four feet in height, garden-fountains, uncovered steps and similar structures, not being projections from a building such as verandahs, balconies, eaves, or shopboards ;

(*b*) from constructing, without such previous permission, wells or tanks in any part of such portion (C) that does not lie within a margin consisting of a strip feet broad along and inside the perimeter of the said plot of land*

(*c*)§ from appropriating, without such previous permission, to any non agricultural purpose, other than that of a shop, a stable or a privy, to an extent not exceeding in total admeasurement square yards, any part of such portion (C) that does not lie within the aforesaid margin ;

and

* Here insert any special exception or reservation that may be necessary, such as "save on the sides indicated by the line C. D. E. F. on the said site plan, where the existing margin as shown therein is allowed to remain."

§ Omit this sub-clause (*c*) if applicant has not agreed to pay full assessment in respect of the portion (C) so as to be entitled to this concession.

(*ii*) where any such prohibited appropriation is permitted by the Collector, the applicant shall,† *except in the case of an appropriation of any part of the land measuring square yards and specified in sub-clause (c) of proviso (i) above*, be liable to pay from the date of the appropriation in respect of the land so appropriated such enhanced assessment not exceeding‡ Rupees (Rs.) per hundred (100) square yards as the Collector may deem fit to impose, and in any such case the total amount payable under clause (1) of this Agreement shall be modified accordingly :

† Omit the words in italics if sub-clause (*c*) has been omitted.

‡ Enter the amount calculated at five times the rate of assessment on the land permitted to be built over under the Agreement (see paragraph 4 of G. R., R. D., No. 6411 of the 16th September 1903).

(4) If at any future date the Collector gives the applicant notice in writing that any portion of the margin specified in sub-clause (*b*) of proviso (i) to clause (3) of this Agreement is required by Government for the purposes of a road, the applicant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such portion to the Collector on behalf of Government in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to thirty (30) times the assessment proportionately payable upon the portion so surrendered, namely, an assessment at the rate of Rupees§ (Rs.) per hundred (100) square yards :

§ Enter the amount calculated in accordance with paragraph 1 of G. R. R, D, No, 1188 of the 13th February 1904.

||Provided that, where the materials of any gate, wall, pavement or other such authorised erection or construction on such portion cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to the applicant as the Collector may think fit :

(5) †The applicant shall within three (3) years from the date of this Agreement, that is, before the day of 19 , erect and complete on the said plot of land.*'

* Here insert description of the buildings, such as "a residential bungalow and outhouses."

||This proviso was added by G. R. No. 5088, dated 4th July 1904.

†As to retention or omission of this clause *Vide* G. R. No. 7496, dated 6th August 1906, printed under section 67.

of a subsantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in the Schedule‡ hereto annexed.

(5*a*) The applicant shall not, without special permission, erect on the said plot of land any structure having more than upper $\frac{\text{floor}^*}{\text{floors}}$ in addition to the ground floor

* here insert the maximum number of upper flowers to be allowed.

N. B. Omit this clause in cases where it is not considered necessary to impose any restriction as to the height of the building.

(G. R R. D. No. 5125, dated 26th April 1918).

N. B.–Omit this clause in cases where there are no existing buildings to be removed.

(6) The applicant shall remove the existing indicated on the site-plan hereto annexed by a colour and the letters within a period of from the date of this Agreement :

(7) Nothing in this Agreement shall affect the applicant's liability to any payment which may be required under any law for the time being in force for the construction and maintenance of roads and drains ;

(8) The Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, or rules or orders thereunder, direct the removal or alteration of any building or structure erected contrary to clause (3) or (5), †*or not removed in accordance with clause* (6) of this Agreement within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period may cause the same to be carried out at the expense of the applicant :

† Omit the words in italics in cases where clause (6) is omitted.

‡ For Schedule of Building regulations, see below form C.

(9) AND IT IS HEREBY LASTLY AGREED between the parties hereto that in this Agreement the words "the Secretary of State" shall include the Secretary of State, his successors and assigns, and the words "the applicant" shall include the applicant, his heirs, executors, administrators and assigns, and the words "the Collector" shall mean the Collector of for the time being or any other officer whom the Governor of Bombay in Council or the Commissioner, Division, or the Collector, directs to exercise the powers or perform the duties of the Collector under this Agreement. And also that the applicant shall bear and discharge all the costs and expenses incurred in the preparation, execution, stamping and registration of these presents.

IN WITNESS WHEREOF the Collector of has by order of the Governor of Bombay in Council hereunto set his hand and the seal of his office, on behalf of the Secretary of State for India in Council, and the applicant has also hereunto set his hand the day and year first above written.

N. B.—Two copies should be executed, one to be kept by the Collector, and the other to be handed to the applicant.

Signed by

(Applicant's signature.)

in the presence of

Signed by

Collector of

in the presence of

(Collector's signature.)

Seal.

FORM C. (Appendix 8).

(To be used where applicant has appropriated Land to building purposes with permission, but is willing to comply with the terms of this agreement in order to gain the benefits thereof.)

(*Royal Arms.*)

N. B.—Under the provisions of Section 67 of the Bombay Land Revenue Code, 1879, the applicant should be the registered occupant before an Agreement under that Section is entered into with him.

THIS AGREEMENT made this day of one thousand nine hundred and between the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State") on the one part and inhabitant of (hereinafter referred to as "the applicant") on the other part.

WHEREAS the applicant being the registered occupant of of Taluka District has appropriated to building purposes with the permission of the Collector of (hereinafter referred to as "the Collector") granted under Section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code"), the plot of land indicated by the letters on the site-plan hereto annexed,* forming part of the said and measuring square yards, be the same a little more or less :

If necessary, the land appropriated under the Agreement should be demarcated as a separate number under Section 116 of the Land Revenue Code, and the applicant entered as the registered occupant thereof.

AND WHEREAS the applicant has applied, in lieu of the said permission of the Collector, for permission to appropriate the aforesaid plot of land to building purposes on certain special terms and conditions;

*Care must be taken that this is duly annexed.

AND WHEREAS the Collector has been authorized by Government to grant, under Section 67 of the said Code, the permission applied for subject to the provisions of the said Code, and rules and orders thereunder, and to the terms and conditions hereinafter contained.

NOW IT IS HEREBY AGREED between the Secretary of State and the applicant that permission to appropriate to non-agricultural purposes the plot of land indicated by the letters

on the said site-plan (which plot of land is hereinafter referred to as "the said plot of land") in the particular manner shown in the said site-plan, namely,—

(A) an area of square yards indicated by a colour and the letters

for the purpose of § or,
for the purpose of an open compound only ;

(B) an area of square yards indicated by a colour and the letters for the purpose of †
or for the purpose of an open compound only:

(C) an area of square yards indicated by the uncoloured portion of the plot for the purpose of an open compound only :

§ Here insert the particular purpose for which the building is to be erected, such as "a residential bungalow and attached outhouses other than a stable or privy."

shall be and is hereby granted subject to the provisions of the said Code, and rules and orders thereunder, and on the following special terms and conditions, namely:—

† Here insert the particular purpose for which the building is to be erected, such as "a shop" or "a privy."

(1) The applicant in lieu of the present assessment leviable in respect of the said plot of land shall pay to Government without deduction on the day of in each and every year an annual assessment of Rupees (Rs.) during the fifty (50) years commencing on the day of 19 , and ending on the day of 19 or in composition therefor a lump sum of Rupees (Rs.), being twenty-five (25) times the said annual aesessment, and thereafter such revised assessment as may from time to time be fixed by the Collector under the said Code and the rule and orders thereunder ;

(2) The applicant hereby gives up, resigns and relinquishes to Government without claiming any compensation therefor all interest in, and the Collector on behalf of Covernment is hereby permitted without further notice to the applicant to enter upon, and take possession of, the following pieces of land, that is to say :—

N. B—Omit this clause in cases where no such surrender is made.

(*a*) for the purpose of widening and forming part of the road on the side of the aforesaid plot a strip of land containing by admeasurement square yards, be the same a little more or less, indicated by a colour and the letters on the site-plan hereto annexed ; and for the purpose of being used as a

(*b*) sweeper's passage (and not as a public thoroughfare) a strip of land situate along and within the

boundary of the aforesaid plot and indicated by a colour and the letters on the said site-plan and containing by admeasurement square yards, be the same a little more or less :

(3) The applicant is hereby prohibited under the last paragraph of Section 48 of the said Code from appropriating, without the previous permission in writing of the Collector, any part of the said plot of land to any purpose other than that for which permission to appropriate it is hereinbefore granted to the applicant :—

Provided that :—

(*i*) nothing in the above shall be deemed to prohibit the applicant—

(*a*) from erecting or constructing, without such previous permission, in the portion (C) (*i. e.*, appropriated for the purpose of an open compound only) boundary-walls not exceeding four feet in height, garden-fountains, uncovered steps and similar structures, not being projections from a building such as verandahs, balconies, eaves or shop-boards ;

(*b*) from constructing, without such previous permission, wells or tanks in any part on such portion (C) that does not lie within a margin consisting of a strip feet broad along and inside the perimeter of the said plot of land*

(*c*) † from appropriating, without such previous permission, to any non-agricultural purpose, other than that of a shop, a stable or a privy, to an extent not exceeding in total admeasurement — square yards, any part of such portion (C) that does not lie within the aforesaid margin ; and

(ii) where any such prohibited appropriation is permitted by the Collector, the applicant shall, ‡ *except in the case of an appropriation of any part of the land measuring square yards and specified in sub-clause (c) of proviso (i) above,* be liable to pay from the date of the appropriation

* Here insert any special exception or reservation that may be necessary, such as "save on the sides indicated by the lines CD. EF. on the said site-plan, where the existing margin as shown therein is allowed to remain."

† Omit this sub-clause (c) if applicant has not agreed to pay full assessment in respect of the portion (C), so as to be entitled of this concession.

‡ Omit the words in italics if sub-clause (c) has been omitted.

n respect of the land so appropriated such enhanced assessment not exceeding §Rupees
(Rs.)
per hundred (100) square yards as the Collector may deem fit to impose, and in any such case the total amount payable under clause (1) of this Agreement shall be modified accordingly.

§ Enter the amount calculated at five times the rate of assessment on the land permitted to be built over under the Agreement (see paragraph 4 of G. R. R. D., No. 6411 of the 16th September 1903).

(4) If at any future date the Collector gives the applicant notice in writing that any portion of the margin specified in sub-clause (*b*) of proviso (i) to clause (3) of this Agreement is required by Government for the purposes of a road, the applicant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such portion to the Collector on behalf of Government in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to thirty (30) times the assessment proportionately payable upon the portion so surrendered, namely, an assessment at the rate of Rupees*
(Rs.)
per hundred (100) square yards :
Provided that, where the materials of any gate, wall, pavement or other such authorized erection or construction on such portion cannot, in the opinion of the Collector, be removed without appreciable loss, such further compensation on this account shall be paid to the applicant as the Collector may think fit :

* Enter the amount calculated in accordance with paragraph 1 of G. R. R. D., No. 1188 of the 13th February 1904.

(5)‡ The applicant shall within the three (3) years from the date of this Agreement, that is, before the day of 19 erect and complete on the said plot of land † of a substantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in the Schedule* hereto annexed :

† Here insert description of the buildings, such as "a residential bungalow and outhouses."

‖ This proviso was added by G. R. No. 5088, dated 4th July 1904.

‡ As to retention or omission of this clause *Vide* G. R. No. 7496, dated 6th August 1906, printed under Section 67 at page 108.

* For Schedule see pages 341 to 343.

(5*a*) The applicant shall not, without special permission, erect on the said plot of land any structure having more than upper $\frac{\text{floor}^*}{\text{floors}}$ in addition to the ground floor

* here insert the maximum number of upper floors to be allowed.

N. B. Omit this clause in cases where it is not considered necessary to impose any restriction as to the height of the building.

(G. R. R. D. No. 5124, dated 26th April 1918).

N. B.—Omit this clause in cases where there are no existing buildings to be removed.

(6) The applicant shall remove the existing indicated on the site-plan hereto annexed by a colour and the letters within a period of from the date of this Agreement :

(7) Nothing in this Agreement shall affect the applicant's liability to any payment which may be required under any law for the time being in force for the construction and maintenance of roads and drains :

(8) The Collector may without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, or rules or orders thereunder, direct the removal or alteration of any building or structure erected contrary to clause (3) or (5), * *or not removed in accordance with clause* (6), of this Agreement within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period may cause the same to be carried out at the expense of the applicant :

* Omit the words in italics in cases where clause (6) is omitted

(9) AND IT IS HEREBY LASTLY AGREED between the parties hereto that in this Agreement the words " the Secretary of State " shall include the Secretary of State, his successors and assigns, and the words " the applicant " shall include the applicant, his heirs, executors, administrators and assigns, and the words " the Collector " shall mean the Collector of for the time being or any other officer whom the

Governor of Bombay in Council or the Commissioner , Division, or the Collector, directs to exercise the powers or perform the duties of the Collector under this Agreement; and also that the applicant shall bear and discharge all the costs and expenses incurred in the preparation, execution, stamping and registration of these presents.

IN WITNESS WHEREOF the Collector of has by order of the Governor of Bombay in Council hereunto set his hand and the seal of his office, on behalf of the Secretary of State for India in Council, and the applicant has also hereunto set his hand the day and year first above written.

N. B.—Two copies should be executed, one to be kept by the Collector, and the other to be handed to the applicant

Signed by (Applicant's signature)

in the presence of

Signed by

Collector of (Collector's signature)

in the presence of

Seal

*SCHEDULE OF BUILDING REGULATIONS.

1. In these rules— Definitions.

(i) "dwelling" means any building or part of a building used or intended for use as a dwelling for human beings, horse, or cattle;

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* (1) These regulations are common to the three (A.B.C.) forms given above.

(2) For cases in which this schedule is to be substituted by model regulations (*Vide* Appendix IX) See G. R. No. 7496, dated 6th August 1906, printed under section 67.

(ii) "window" includes an open space running right through a wall so as to admit of the entry of air.

Plinth. 2. Every building intended to be used as a dwelling for human beings, or as a privy or kitchen, shall have a plinth at least two feet above ground level.

Ventilation. 3. (i) Every room that is a dwelling shall be at least eight feet high at every point.

(ii) Every such room shall have a window opening directly into the air outside the house.

(iii) In every such room the total area of such outside windows shall be not less than one tenth of the floor area.

(iv) In every such room every window shall be so constructed that at least its upper half is open or can be opened.

Privies. 4. (i) No privy shall be built within five feet of any dwelling or within twenty feet of any kitchen, public road or place of public resort, or within thirty feet of a well or other source of water-supply.

(ii) For every twenty persons a house is intended to accommodate there shall be at least one privy.

(iii) Every privy shall be provided with a moveable receptacle for night-soil with a capacity of not more than two cubic feet.

(iv) Every privy shall be so constructed that the bottom of the receptable for night-soil, urine or ablution-water shall be at a level at least two feet above ground level.

(v) There shall be ventilation-holes at the bottom both of the door of the privy and the door of the chamber for the night-soil receptacle and also as near the top of the privy as practicable, these latter tophôlës aggregating at least two square feet in area.

(vi) The sides and floor of the chamber for the receptacle shall be constructed of hard smooth stone, brickwood plastered with cement, or other non-absorbent material; and the floor shall be so sloped that any liquid discharged on it shall rapidly and easily flow to an outlet.

(vii) The door of the said chamber shall occupy the whole height and width of the chamber and shall open outwards on to a space screened in behind the privy and so arranged that a sweeper may conveniently do his work there without being seen by anyone outside.

(viii) Arrangements shall be made to allow of the receptacle for night-soil being so fixed that it projects on all sides at least one inch beyond the space vertically below the aperture through which night-soil falls.

(ix) Every privy shall be so constructed that urine, and such ablution-water as is not actually used for ablution can be disposed of without entering the receptacle for night-soil.

Cess-pools.

5. (i) No cess-pool shall be built within twenty feet of a dwelling or kitchen, or within thirty feet of a well or other source of water supply.

(ii) Every cess-pool shall be constructed of good masonry, at least one foot thick, plastered inside with cement, and shall be perfectly water-tight.

(iii) The bottom of every cess-pool shall be at a level not lower than one foot below ground level.

(iv) The sides of every cess-pool shall project above ground sufficiently to prevent the inflow of surface drainage.

(v) Every cess-pool shall be entirely open to sun and air and shall have a superficial area of at least two square feet.

Urine, sullage water etc.

6. (i) Every outlet for the passage of urine, sullage water or other filthy liquid from any building shall be at a height of at least two feet above ground level.

(ii) Arrangements shall be made for all such urine, sullage water or other filthy liquid either—

(*a*) to flow rapidly without touching the walls of the building or the ground through drains of glazed earthenware or other hard, impervious material to points at least twenty feet from the nearest point of every dwelling or kitchen; or

(*b*) to fall without touching the walls of the building into a water-tight removeable receptacle entirely above ground level and open to light and air.

(iii) Every such drain that is not open to the air shall be trapped at the end nearest the building from which it runs.

Prevention of stagnation.

7. All land within one hundred yards of any dwelling shall be so cleared and sloped as effectually to prevent the formation of pits or hollows in which water may stagnate, other than cess-pools satisfying rule 5.